

DISTRICT	OFF.	DOCKET NO. YR. NUMBER	OR	FILING DATE MO. DAY YR.	NATURE 300	DIV. PT.	R	\$ DEMAND 4000000	JUDGE	MAG.	COUNTY	JURY TRY.	DOCKET YR. NUMBER			
0541	5	88	00059	1	07	15	88	4	360	4	1	45	4118	99999	D	L-88-59

CAUSE: PLAINTIFFS DEFENDANTS

MANUEL F. RAMOS, AND WIFE,  
HILDA GRACIELA RENDON RAMOS,  
Individually and as next Friends of  
HILDA GRACIELA RAMOS, A MINOR

1 JAMES E. GEDDES, INDIVIDUALLY;  
2 JAMES A. DUFF, INDIVIDUALLY  
~~3 JAMES C. GABBARD, INDIVIDUALLY~~ 7/25/91  
~~4 DALLAS H. DALTON, JR., INDIVIDUALLY~~ 7/25/91  
5 CARDIO-THORACIC SURGICAL ASSOCIATES, A  
TEXAS PROFESSIONAL CORPORATION, AND  
~~6 DR. JAMES W. SIMPSON, INDIVIDUALLY, AND~~ 21251  
7 DRISCOLL FOUNDATION CHILDREN'S HOSPITAL, Dismiss  
A TEXAS CORPORATION

JURY REQUESTED

CAUSE  
(CITE THE U.S. CIVIL STATUTE UNDER WHICH THE CASE  
IS FILED AND WRITE A BRIEF STATEMENT OF CAUSE)  
DIVERSITY: \$40,000,000.00 MEDICAL MALPRACTICE

ATTORNEYS

DONATO D. RAMOS # 5625  
ATTORNEY IN CHARGE  
P.O. Drawer 6668  
Laredo, Texas 78042  
512/727-4441

1 thru 5 TOM HERMANSEN #915  
ATTORNEY IN CHARGE  
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555 North Carancahua  
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BERNANDO D. GUTIERREZ  
604 MATAMOROS  
LAREDO, TEXAS 78040  
(512) 726-0041  
(ATTORNEY AD LITEM)

RICARDO DE ANDA  
919 ZARAGOZA ST.  
LAREDO, TEXAS 78040  
(512) 722-0071

J TRIAL

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	DATE	RECEIPT NUMBER	C.D. NUMBER	CARD	DATE MAILED
	07/20/88	271171	120.00	210356	7/22/88
				JS-5	X
				JS-6	
				VS	

DATE	NR.	PROCEEDINGS MANUEL F. RAMOS, ET AL -vs- JAMES E. GEDDES, ET AL
	<b>L-88-59</b>	
7/15/88	1	PLAINTIFFS' ORIGINAL COMPLAINT, filed. (JURY DEMANDED)
7/15/88		SUMMONS WITH SIX SUMMONS ISSUED AND RETURNED TO COUNSEL.
7/29/88	2	SUMMONS RETURNED AND FILED. (UNEXECUTED 7/25/88 - Dr. James G. Gabbard, deceased 9/87).
7/29/88	3	SUMMONS RETURNED AND FILED. (Executed 7/25/88 by serving DR. JAMES E. GEDDES, Corpus Christi, Texas).
8/1/88	4	SUMMONS RETURNED AND FILED. (Executed 7/26/88 by serving DR. JAMES A. DUFF, Corpus Christi, Texas).
8/4/88	5	SUMMONS RETURNED AND FILED. (Executed 7/29/88 by serving DR. JAMES W. SIMPSON, CORPUS CHRISTI, Texas).
8/9/88	6	SUMMONS RETURNED AND FILED. (Executed 8/1/88 by serving Driscoll Foundation Children's Hospital, by serving Mr. T.S. Scibienski, Agent for Service, Corpus Christi, Tx).
8/12/88	7	DEFTS' DRS. JAMES E. GEDDES, JAMES A. DUFF; JAMES G. GABBARD; DALLAS H. DALTON, JR. AND CARDIO-THORACIC SURGICAL ASSOCIATES'S MOTION TO TRANSFER VENUE, filed.
8/12/88	8	DEFTS' DRS. GEDDES; DUFF; JAMES G. GABBARD; DALTON, JR. and CARDIO-THORACIC SURGICAL ASSOCIATES ORIGINAL ANSWER, filed.
8/17/88	9	DEFT. DR. JAMES W. SIMPSON'S MOTION TO TRANSFER VENUE, filed.
8/17/88	10	DEFT. DR. SIMPSON'S ORIGINAL ANSWER, filed.
8/18/88	11	DEFT. DRISCOLL FOUNDATION CHILDREN'S HOSPITAL'S MOTION FOR TRANSFER OF VENUE, filed.
8/18/88	12	DEFT. DRISCOLL FOUNDATION CHILDREN'S HOSPITAL'S ORIGINAL ANSWER, filed.
8/26/88	13	PLAINTIFFS' OPPOSITION TO DEFTS' MOTIONS TO TRANSFER VENUE, filed.
9/6/88	14	SUMMONS RETURNED AND FILED. (Executed 8/16/88 by serving DR. DALLAS H. DALTON, JR. at McAllen, Texas).
9/6/88	15	SUMMONS RETURNED AND FILED. (Executed 8/16/88 by serving CARDIO-THORACIC SURGICAL ASSOCIATES, by serving DR. DALLAS H. DALTON, JR.)
9/13/88	16	DEFT. DRISCOLL FOUNDATION CHILDREN'S HOSPITAL'S RESPONSE TO PLTF'S OPPOSITION TO DEFTS' MOTION TO TRANSFER VENUE, filed.
9/13/88	17	DEFT. DRISCOLL FOUNDATION CHILDREN'S HOSPITAL'S MOTION FOR LEAVE TO SUPPLEMENT ITS ORIGINAL ANSWER, filed.
9/15/88	18	(GPK) ORDER filed and entered. DRISCOLL FOUNDATION CHILDREN'S HOSPITAL'S MOTION FOR LEAVE TO SUPPLEMENT ITS ORIGINAL ANSWER is GRANTED. The hospital contends it is operated by a charitable foundation known as the Rober Driscoll and Julia Driscoll and Robert Driscoll, Jr. Foundation. There is no indication that the corporation has been dissolved. Parties shall submit briefs on this issue w/in 30 days. Limited discovery may be conducted if necessary to clarify the relevant facts. Parties notified.
9/15/88	19	DRISCOLL FOUNDATION CHILDREN'S HOSPITAL'S FIRST SUPPLEMENT TO ITS ORIGINAL ANSWER filed.
10/14/88	20	SUPPLEMENTAL BRIEF IN SUPPORT OF OPPOSITION TO DEFTS' MOTION TO TRANSFER VENUE, filed.

PLAINTIFF		DEFENDANT	DOCKET NO. L-88-59
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10/14/88	21	PLAINTIFFS'S STATEMENT AND/OR STIPULATION THAT DEFT. DRISCOLL FOUNDATION CHILDREN'S HOSPITAL IS A TEXAS CORPORATION FOR VENUE PURPOSES, filed.	
10/14/88	22	PLAINTIFFS' MOTION TO STRIKE ALLEGATIONS OF DRISCOLL FOUNDATION CHILDRENS' HOSPITAL THAT IT IS NOT A TEXAS CORPORATION, filed.	
10/17/88	23	DEFT. DRISCOLL FOUNDATION CHILDREN'S HOPITAL RESPONSE REGARDING VENUE, filed.	
11/4/88	24	(GPK) ORDER filed and entered. Defendants have failed to meet their burden to establish that venue in the Laredo Division works a substantial hardship on them. A Change of venue would merely shift the inconvenience from the defts' to the plaintiffs. Accordingly, Defts' motion to transfer venue is DENIED. Parties notified.	
11/23/88	25	(MCN) INITIAL TELEPHONIC PRE-TRIAL CONF. HELD: Appearances: Donato Ramos, for Pltfs; Tom Hermansen, Corpus Christi, Tx. for Defts. Geddes, Duff, Gabbard Dalton & CTSA; Paul M. Green, San Antonio, Tx. for Deft. Simpson, and Al Couture on behalf of Douglas Kennedy, Corpus Christi, Tx. for Deft. Driscoll Foundation. Nature of cause discussed. Deadlines were set. Please see Pldg. No. 26.	
11/30/88	26	(MCN) ORDER filed and entered. ORDERED THAT DEADLINES IN THIS CASE ARE HERE-BY AS FOLLOWS: JULY 31, 1989                      Pltf. designates expert witnesses. SEPT. 15, 1989                  Deft. designates expert witnesses. OCT. 31, 1989                  Discovery closes. NOV. 17, 1989                 Pltf's amended pldgs. will be filed. DEC. 1, 1989                  Deft's amended pldgs. will be filed. DEC. 11, 1989                All contested motions will be filed. JAN. 29, 1990                JPTO IS DUE.  MARCH 9, 1989                A TELE-STATUS CONF. WILL BE HELD AND SHALL BE INITIATED BY PAUL M. GREEN. At 3:00 P.M.  No motions for extension of time of the above scheduling order will be con-sidered by the Court after 20th day of OCTOBER 1989. Parties notified.	
3/9/89	27	MINUTE ENTRY: PARTIES AGREED TO RE-SET Telephonic conf. previously set for MARCH 9, 1989 at 3:00 P.M. for WED. MARCH 15, 1989 at 4:00 P.M.	
3/15/89	28	(MCN) TELE-STATUS CONF. HELD: Appearances: Donato D. Ramos, Laredo, for Pltfs. Tom Hermansen; Karen White in for PAUL M. GREEN, San Antonio, Tx. and Douglas M. Kennedy for Defts. Case is moving and there is no need for extensions.	
3/17/89	29	(MCN) ORDER ENTERED. Parties notified. ORDERED that a tele-conf. in this case is set for MAY 16, 1989 at 4:00 P.M. Said conf. to be initiated by Mr. Douglas M. Kennedy, Corpus Christi, Atty. for Defts.                      Dkt'd 3/22/89	

OVER PLEASE.....

OVER PLEASE.....

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DATE	NR.	PROCEEDINGS	
5/26/89	30	(MCN) ORDER FILED AND ENTERED. Conference previously set in this case for May 16, 1989 at 4:00 P.M. is <b>RESET</b> for JUNE 14, 1989 at 4:30 P.M. (Attys ntfd) Dkt'd 5/26/89 K.	
6/21/89	31	(MCN) COURT MINUTES: Telephonic Status was held on <b>June 14, 1989 at 4:30 p.m.</b> Teleconference begun--Status of case discussed--Attys inform that once last set of interogs is completed they will file motion for extension of deadlines--Teleconference concluded. Dkt'd 6/21/89 K.	
7/14/89	32	(MCN) ORDER FILED AND ENTERED. ORDER REGARDING PRODUCTION OF RADIOLOGICAL FILMS, IS GRANTED. (Attys notified) Dkt'd 7/14/89 K.	
8/15/89	33	(MCN) COURT MINUTES: TELECONF. BEGUN--Attus inform Simpson's deposition to be taken, by agreement on 10-6-89 and Geddes; and Duff's on 10-19-89 and 10-20-89--Attys request extension of deadlines and Ct. GRANTS.--Teleconf. concluded. Dkt'd 8/21/89 K.	
8/18/89	34	(MCN) ORDER FILED AND ENTERED. IT IS ORDERED that deadlines are hereby set as follows: Nov 20, 1989.....Plntf.'s designation of expert witnesses. Jan 5, 1990.....Deft.'s designation of expert witnesses. Jan 19, 1990.....Plntf.'s amended pleadings will be filed. Feb 2, 1990.....Deft.'s amended pleadings will be filed. Mar 16, 1990.....Discovery will close. Mar 30, 1990.....all contested motions will be filed. May 14, 1990.....JTPO IS DUE. (Attys ntfd) Dkt'd 8/21/89 K.	
10/30/89	35	PLAINTIFFS' NOTICE OF INTENT TO TAKE ORAL DEPOSITION, filed. ( Depo on James E. Geddes on Nov 14, 1989 at 9:00 a.m.) <b>AND</b> (Depo on James A. Duff on Nov 14, 1989 at 1:30 p.m.) Dkt'd 10/30/89 K.	
10/30/89	36	PLAINTIFFS' NOTICE OF INTENT TO TAKE ORAL DEPOSITION, filed. (Depo on Dr. James W. Simpson on Nov 15, 1989 at 9:00 a.m.) Dkt'd 10/30/89 K.	
11/13/89		PLAINTIFFS' NOTICE OF INTENT TO TAKE ORAL DEPOSITION, filed.	
" "	37	(Dr. James W. Simpson December 9, 1989 at 9:30 a.m.)	
" "	38	(Dr. James E. Geddes and James A. Duff at 9:00 a.m. and 1:30 p.m.) Dkt'd 11/9/89 K.	
1/22/90	39	(MCN) ORDER FILED AND ENTERED. IT IS ORDERED that PTC is set for February 8, 1990 at 4:00 p.m. initiated by Mr. Hermansen (attys ntfd) Dkt'd 1/23/90 K.	

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2/13/90	40	(MCN) COURT MINUTES: Parties discuss discovery re; experts & DEADLINES. Parties agree to the following schedule:  Mar 1, 1990.....Pltf designate of experts Apr 30, 1990.....last day to depose Pltf's experts Jun 15, 1990.....Defts designate of experts Jul 16, 1990.....last day to depose defts experts Aug 1, 1990.....Pltf's amended pldgs as well as all contested mtoions will be filed. Oct 1, 1990 .....JPTO IS DUE. Teleconference concluded.  Dkt'd 2/13/90 K.	
6/13/90	41	NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTIONS., filed. (Miguel Angel Cavazos, Jr. M.D.) Dkt'd 6/13/90 K.	
6/13/90	42	NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTION., filed. (Maximiliano Martinez M.D.) Dkt'd 6/13/90 K.	
6/13/90	43	NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTION., filed. (Italo Samano) Dkt'd 6/13/90 k.	
6/13/90	44	NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTION., filed. (J.D. Wendeborn) Dkt'd 6/13/90 k.	
6/13/90	45	NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTION., filed. (Mydia Perez M.D.) Dkt'd 6/13/90 K.	
6/13/90	46	NOTICE OF INTENTION TO TAKE DEPOSITION BY WRITTEN QUESTIONS., filed. (Nabor Ramirez M.D.) Dkt'd 6/13/90 k.	
8/17/90	47	AGREED MOTION FOR AMENDMENT OF EXISTING DEADLINES AND REQUEST FOR HARDSHIP TRIAL SETTING, filed. dkt'd 8/17/90 B	
8/21/90		<b>NOTICE SETING HEARING ON PENDING MOTION FOR AUG. 30, 1990 at 10:00 A.M., entered.</b> Dkt'd 08/21/90	
8/30/90	48	(GPK) HEARING: Pltf offers argument in support of motion; In refernce to settlement Pltf has made a demand; Cause of action discussed; Parties request extension soley for purpose of deposing experts; Parties to meet at atty lounge and try to agree with new dates because this will be last extension; Deft's would like to have case tried in Corpus Christi, Tx but pltf objects Parties announce Dr. Gabbard is now deceased; If parties cannot agree they are to come back to Ct and court will impose his own deadlines. Dktd' 8/31/90 k.	
8/30/90	49	(GPK) ORDER ENTERED. ORDER GRANTING AGREED MOTION FOR AMENDMENT OF EXISTING DEADLINES AND REQUEST FOR HARDSHIP TRIAL SETTING.  Oct 15, 1990.....Defts shall designate all of their expert & non-expert witnesses Nov 1, 1990.....Defts expert sahll submit written reports to Pltfs detailing their opinions Plaintiffs shall make available for deposition the Pltfs experts between 9/15-10/5/9 Nov 15, 1990.....Defts shall make their experts available for depo and discovery closes November 30, 1990 and JPTO is due December 1, 1990. (attys ntfd) Dktd 8/31/90	



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10/12/90	50	DEFENDANT'S DESIGNATION OF EXPERT WITNESSES., filed.	Dkt'd 10/15/90 k.
10/26/90	51	DEFENDANT'S DESIGNATION OF EXPERT WITNESSES., filed.	Dkt'd 10/26/90 K.
12/10/90	52	JOINT PRE-TRIAL ORDER., filed.	Dkt'd 12/10/90 k.
12/11/90	53	DEFENDANTS' MOTION FOR TRANSFER OF VENUE., filed. (M/D January 2, 1991)	dkt'd 12/11/90 k.
12/11/90	54	DEFENDANTS' MOTION FOR SEPARTATE TRIALS., filed. (M/D January 2, 1991)	Dkt'd 12/11/90 K.
12/11/90	55	DEFENDANTS' MOTION FOR SUMMARY JUDGMENT., filed. (M/D January 2, 1991)	Dkt'd 12/11/90 K.
12/11/90	56	DEFENDANTS' MOTION FOR PARTIAL SUMMARY JUDGMENT., filed. (M/D January 2, 1991)	Dkt'd 12/11/90 K.
1/7/91	57	An agreed letter from atty Donato D. Ramos extended motion deadlines to 1/14/91	Dkt'd 1/8/91 K.
1/14/91	58	PLAINTIFF'S RESPONSE TO DR. JAMES E. GEDDES, M.D.'S MOTION FOR PARTIAL SUMMARY JUDGMENT., filed.	Dkt'd 1/15/91 K.
1/14/91	59	PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION FOR SEPARATE TRIALS., filed.	Dkt'd 1/15/91 K,
1/14/91	60	PLAINTIFFS' OPPOSITION TO DEFENDANTS' MOTION FOR TRANSFER OF VENUE., filed.	Dktd' 1/15/91 k.
1/14/91	61	PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION FOR SUMMARY JUDGMENT., filed.	Dkt'd 1/15/91 k.
2/25/91	62	PLAINTIFFS STIPULATION OF DISMISSAL WITHOUT PREJUDICE ., filed. (against Deft James W. Simpson, M.D.)	Dkt'd 2/25/91 K.
2/25/91	63	(GPK) ORDER OF DISMISSAL ENTERED. Stipulation of the Pltfs and Deft James W. Simpson, M.D. , filed among the papers in this cause, the court determined that this cause against Deft James W. Simpson, M.D. only, should be dismissed without prejudice, at Pltfs' costs. (parties ntfd)	Dkt'd 2/26/91 K.
2/26/91	64	PLAINTIFF'S MOTION FOR APPOINTMENT OF ATTORNEY AD LITEM AND FOR FRIENDLY SUIT HEARING., filed.	Dktd' 2/27/91 k.
2/27/91	65	(GPK) ORDER ENTERED. ORDER APPOINTING ATTORNEY AD LITEM The Court having considered same, it does hereby appoint Fernando D. Gutierrez, Jr., an attorney duly authorized to practice law before this Court and the Court further sets this matter for a hearing on the friendly suit for the MARCH 6, 1991 at 2:00 p.m. (parties ntfd)	Dktd' 2/27/91 K.

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3/6/91	66	(GPK) HEARING -SETTLEMENT-HOSPITAL DEFENDANT: Ad Litem Atty reports to Court that he is ready to proceed on case; Parties discuss settlement; Pltf Evid: Court to enter a Final Judgment on Hospital-\$60,000.00 will be deposited into the registry \$33,333- for attys fees; #6,666-for Parents; \$2,500.00 fee for atty ad Litem Total Settlement against Hospital \$100,000.00. Pltf announces that Dr. James G. Gabbard and Dr Dallas H. Dalton, Jr are still in case due to being partnes of Cardio-Thoracic Surgical Assocations; Dr. James G. Gabbard is now deceased; Attys to file Order dismissal Dr. Gabbard and Dr. Dalton individually; these Dr's will remain in case with liability as partners; Pltf to substitute Dr. Gabbard w/estate within 2 wks March 20, 1991; Pltf to submit proposed SJ as to 1984 surgery; Trial will proceed on 1986 surgery only; Deft to file case law on SJ by March 20, 1991; Venue discussed- DENIED: Biforcation discussed-DENIED: Hearing concluded Ct. adj 3:30 p.m. Dtk'd 3/8/91 K.	
3/8/91	67	(GPK) ORDER ENTERED. Defendants' Motion for Transfer of Venue is DENIED. Defendants' motion for Separate Trials on liability and damages, filed on 12/11/90 The court finds no indications of prejudice or efficiency of trial warranting such bifurcation. Defendants' motion is DENIED. (parties ntfd) Dkt'd 3/8/91 K.	
3/14/91	68	DEFENDANT'S MOTION TO STRIKE AFFIDAVIT OF DANIEL M. COHEN, M.D., filed. Dktd' 3/14/91 K.	
3/14/91	69	(GPK) JUDGMENT ENTERED. It appearing to the Court that the Defendant, Driscoll Foundation children's Hospital, has heretofore paid the monies as ordered by the Court, IT IS ORDERED that no execution shall be issued except in favor of the officers ofthis Court for costs of suit in the event same are not paid within a reasonable time. (parties ntfd) Dtkd' 3/15/91 k.	
3/28/91	70	(GPK) ORDER ENTERED. The court DENIES Defts' Motion to Strike the Affidavit of Daniel M. Cohen, M.D. and partially DENIES Defts' Motion for Summary Judgment. Defts' motion remains pending as to the liability of Drs. Dalton and Gabbard, individually, for the 1986 operation. At hearing on 3/6/91, pltf's counsel stated that he would submit a proposed order as to this remaining issue be 3/20/91. As the Court has not received such proposal, it will reserve ruling on this issue until April 5, 1991. (parties ntfd 3/28/91) Dkt'd 4/1/91 K.	
4/2/91	71	A Check for \$60,000.00., received (certified copy of judgment and the check mailed to Houston (Registry of the court) by certified mailed) <b>Check #1366</b> Dkt'd 4/4/91 k.	
4/5/91	72	(GPK) ORDER ENTERED. IT IS ORDERED that Deft James E Geddes, M.D.'s Motion for Partial Summary Judgment is hereby partially granted but only to the extend that Pltf's cause of action against Geddes, M.D. based solely on the 10-11-84 surgery performed on Pltf Hilda Graciela Ramos, a minor, is hereby DISMISSED. (parties ntfd) Dkt'd 4/5/91 k.	
7/23/91		(GPK) NOTICE OF JURY SELECTION AND TRIAL SET FOR AUGUST 5, 1991 at 9:00 a.m. (parties ntfd by telephone and by mail)	

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7/25/91	73	(GPK) FINAL PTC: Parties announce defts Gabbard and Dalton are out of case for all purpose; Court will enter proper Order of Dismissal; Case remains for trial with Geddes and Duff and Cardio-thoracic surgical assoc; Discussion as to preparation of exhibits and Atty AD Litem trial participation; Proposed verdict form to be submitted to Court by July 30, 1991 at Noon; Local counsel for both side to submit Notice of appearance; Case remains on trial schedule 8/5/91 unless attys advise otherwise.	
7/25/91	74	(GPK) ORDER OF DISMISSAL ENTERED. IT IS ORDERED that Pltfs case against Defts Gabbard and Dalton, Jr., in their official and partnership capacities is DISMISSED. (parites ntfd) Dkt'd 7/26/91 K.	
7/30/91	75	PLAINTIFFS' PROPOSED COURT'S CHARGE AND SPECIAL INTERROGATORIES., filed. Dkt'd 7/30/91 k.	
7/30/91	76	PLAINTIFFS' PROPOSED VERDICT., filed. Dkt'd 7/30/91 k.	
8/1/91	77	DEFENDANT NOTICE OF APPEARANCE., filed. (Ricardo De Anda attorney for James Geddes and James a. Duff) Dtk'd 8/2/91 K.	
8/1/91	78	DEFENDANTS JAMES E. GEDDES, DR. JAMES A. DUFF MOTION TO SUPPLEMENT JOINT PRE-TRIAL ORDER., filed. Dkt'd 8/2/91 k.	
8/5/91	79	(GPK) JURY SELECTION AND TRIAL 1st DAY: Jury sworn; voir dire; 8 jurors selected; Outside presence of jury; Discussion as to exhibits and witnesses; Rule was not invoked; during presence of jury; July sworn; opening statments; Pltfs Evid. begun: 1st wit; Hilda Graciela Rendon Ramos; Lunch recess 12:10 p.m. -1:15 p.m.; 1st wit. cont'd; Pltf's 2nd wit: Daniel Cohen- Doctor; 3rd wit; Dr. Maximiliano Martinez-Valladares- Physical therapist; 4th wit; Delores Jurep- Nure (by Depo) 5th wit; Rosie Garcie- Nurse assistant (by depo); 6th wit: Ma Guadalupe Ramon Pltf sister jurors exused at 5:50 p.m. to reconvene at 9:00 a.m. 8/6/91; Ct adj 6:00 p.m.	
8/6/91	80	(GPK) JURY TRIAL 2nd DAY: Pltf's evid cont'd; 7th wit; Rosario Carmichael- LISD- Special Education; 8th wit: Dr. James E. Geddes- by depo- Deft; 9th wit; Nanette Rose- Rehabilitation Expert- San Antonio Outside presence of jury; Discussion as to Dr. Simpson- prior contention- Denied; 10th wit: Dr. Patrick Fitzgerald- Medical Expert analyst; 11th wit: by depo- Dr. James A. Duff- Deft; Lunch recess 12:00 Noon 1:15 p.m.; PLtf's Evid cont'd: 12th wit; Dr. Aldo Castaneda- by depo; 13th wit; Alexandra Ramos- Pltf daughter; 14 th wit; Manuel R. Ramos- Pltf; Video tape of Hilda Ramos- Minor; Pltf rests w/exception of one psychologist; Ct. w/allow Pltf to reopen; Deft's Evid begun: 1st wit: Dr. James W. Simpson- Pediatric cardiologist; 2nd wit; Dr James A. Duff-Deft; Jurors excused at 4:35 p.m. to recon at 9:00 a.m. 8/7/91;	
8/6/91	81	DEFENDANTS' ELECTION OF CREDIT FOR SETTLEMENT., filed.	
8/7/91	82	(GPK) JURY TRIAL 3rd DAY: Defts Evid cont'd 3rd wit; Dr. James Geddes Deft4th wit; Dr. Raymond c. Lewandoski- Genetisist; 5th wit: Dr. Blake O'Lavin newologist; Jury excued for the day and asked to return 8/8/91 at 9:00 a.m.; 2nd alternate excused.	



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DATE	NR.	PROCEEDINGS	
8/7/91	83	DEFENDANTS' REQUESTED ISSUE., filed.	
8/8/91	84	(GPK) JURY TRIAL 4th DAY: Deft's Evid cont'd 6th wit: Dr. Aldo R. Castaneda Cardio Thoracic Surgeon: Deft rests; Pltf's rebuttal; 1st wit: Hilda Graciela Rendon Ramos- Pltf; both sides close; 1st alternate excused; Outside presence of jury; Discussion as to Court charge; During presence of jury; Closing arguments: Pltf's 10:35 a.m. -12:00 noon; Lunch recess 12:00 - 1:15 p.m. ct's charge- 1:15 p.m.- 2:10 p.m.; Outside presence of jury; No obj to ct's charge; Pltfs oral motion for instructed verdict on partnership; Jury begin delib- 2:10 p.m. -4:00 p.m.; Jury returns with verdict- Verdict filed- Ct. Adj 4:00 p.m.	
8/8/91	85	DEFENDANTS EXHIBITS LIST., filed.	
8/8/91	86	PLAINTIFF'S EXHIBITS LIST., filed.	
8/8/91	87	JURY CHARGE., filed.	
8/8/91	88	VERDICT., filed.	
8/8/91	89	(GPK) FINAL JUDGMENT ENTERED. IT IS ORDERED that pltfs take nothing from Defts' and each of those Defts is hereby discharged without liability. costs are taxed to the Pltfs. (parties ntfd) Dkt'd 8/12/91 k.	
8/19/91	90	PLAINTIFFS' MOTION FOR NEW TRIAL., filed. Dkt'd 8/20/91 k.	
8/22/91	91	DEFENDANTS' RESPONSE TO MOTION FOR NEW TRIAL., filed. Dkt'd 8/23/91 k.	
8/27/91	92	(GPK) ORDER ENTERED. Plaintiff's motion for new trial is DENIED. (attys ntfd) Dktd' 8/27/91 K.	
8/28/91	93	UNOPPOSED MOTION TO SUBSTITUE BY PHOTOGRAPH., filed. Dktd' 8/29/91 K.	
9/19/91	94	DEFENDANTS' JAMES E. GEDDES AND JAMES A. DUFF MOTION TO WITHDRAW EXHIBITS., filed. (M/D October 9, 1991) Dkt'd 9/19/91 k.	
9/26/91	95	PLAINTIFF'S MOTION TO WITHDRAW EXHIBITS., filed. (October 16, 1991) Dktd' 9/30/91 k.	
10/16/91	96	(GPK) ORDER ENTERED. IT IS THEREFORE ORDERED, that Deft's motion to withdraw exhibit is hereby in all things GRANTED. (parties ntfd) Dtkd' 10/17/91 K.	
10/16/91	97	(GPK) ORDER ENTERED. IT IS THEREOFRE ORDERED, that Pltfs motion to withdraw exhibit is hereby in all things GRANTED. (parties ntfd) Dkt'd 10/17/91 k.	
7/17/95	98	APPLICATION OF MANUEL F. RAMOS AND WIFE, HILDA GRACIELA RENDON RAMOS, FOR DISTRIBUTION OF MONIES IN THE REGISTRY OF THE COURT., filed.	
8/2/95		Fax pleading #98 to Houston for approval	
8/3/95	99	(GPK) ORDER OF REFERENCE ENTERED. (referred to Magistrate Judge Marcel C. Notzon)	

DC 111A  
(Rev. 1/75)

## CIVIL DOCKET CONTINUATION SHEET

PLAINTIFF		DEFENDANT	DOCKET NO. <u>L-88-59</u>
MANUEL F. RAMOS		JAMES E. GEDDES	PAGE <u>4</u> OF <u>    </u> PAGES
DATE	NR.	PROCEEDINGS	
8/14/95	100	(MCN) ORDERED ENTERED. IT IS ORDERED that an in personam conference to discuss the Pltf's application for distribution of Monies in the Registry of the Court be set for August 29, 1995 at 3:00 p.m. (parties ntfd)	
8/25/95	101	(MCN) ORDER ENTERED. Due to a conflict in the Court's schedule, Conference set for August 29, 1995 at 3:00 p.m. is hereby RESET TO August 29, 1995 at 2:00 p.m. Dkt'd 8/28/95 kpj	
8/29/95	102	(MCN) IN PERSONAM CONFERENCE HELD. Disbursement., filed.	
9/6/95	103	(GPK) ORDERED ENTERED. IT IS ORDERED that the District Clerk for the Southern Dist of Texas issue a check in the total summ of \$20,000.00 payable to Manuel F. Ramos and wife, Hilda Graciela Rendon Ramos, individually and as next friends of Hilda Graciela Ramos, a minor, which represents the sum of \$20,000.00 for expenses and equipment as set out above and which expenses and equipment are necessary for the day to day movement and car of Hilda Graciela Ramos, a minor, who suffers from paraplegia and down syndrome. No attorneys fees shall be awarded in this case as agreed to be counsel.	